

FILED
HARRISBURG, PA

SEP 30 2019

Page 2

AO 241
(Rev. 10/07)2241
PETITION UNDER 28 U.S.C. § 2241 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODYPER MG
DEPUTY CLERK

United States District Court <u>Middle</u>		District: <u>of Pennsylvania</u>
Name (under which you were ^{<u>pretrial</u>} convicted): <u>Frederick Banks</u>		Docket or Case No.: <u>1:19-CV-1678</u>
Place of Confinement: <u>Allegheny County Jail</u>		Prisoner No.: <u>720759</u>
Petitioner (include the name under which you were convicted) <u>Frederick Banks</u>		Respondent (authorized person having custody of petitioner) v. <u>Greta Tunesberg, Climate change Activist;</u> <u>Kimba; Kendrick Lamar; CIA</u>
The Attorney General of the State of <u>Pennsylvania; Commonwealth of Pennsylvania</u>		

PETITION

1. (a) Name and location of court that entered the judgment of conviction you are challenging:

USDC (WDPA)

- (b) Criminal docket or case number (if you know):
- 15cr168

2. (a) Date of the judgment of conviction (if you know):
- not convicted

- (b) Date of sentencing:

3. Length of sentence:

4. In this case, were you convicted on more than one count or of more than one crime?
- ☐
- Yes
- ☐
- No

5. Identify all crimes of which you were convicted and sentenced in this case:

None

6. (a) What was your plea? (Check one)

☒ (1) Not guilty ☐ (3) Nolo contendere (no contest)

☐ (2) Guilty ☐ (4) Insanity plea

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to?

(c) If you went to trial, what kind of trial did you have? (Check one)

☐ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☐ No

8. Did you appeal from the judgment of conviction?

☐ Yes ☒ No

9. If you did appeal, answer the following:

(a) Name of court:

(b) Docket or case number (if you know):

(c) Result:

(d) Date of result (if you know):

(e) Citation to the case (if you know):

(f) Grounds raised:

(g) Did you seek further review by a higher state court? ☐ Yes ☐ No

If yes, answer the following:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Result:

(4) Date of result (if you know):

Not convicted

(5) Citation to the case (if you know):

(6) Grounds raised:

(h) Did you file a petition for certiorari in the United States Supreme Court?

☐ Yes

☒ No

If yes, answer the following:

(1) Docket or case number (if you know):

(2) Result:

(3) Date of result (if you know):

(4) Citation to the case (if you know):

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court:

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No

(7) Result:

(8) Date of result (if you know):

(b) If you filed any second petition, application, or motion, give the same information:

- (1) Name of court:
- (2) Docket or case number (if you know):
- (3) Date of filing (if you know):
- (4) Nature of the proceeding:
- (5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No

(7) Result:

(8) Date of result (if you know):

(c) If you filed any third petition, application, or motion, give the same information:

- (1) Name of court:
- (2) Docket or case number (if you know):
- (3) Date of filing (if you know):
- (4) Nature of the proceeding:
- (5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No

(7) Result:

(8) Date of result (if you know):

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☐ No

(2) Second petition: ☐ Yes ☐ No

(3) Third petition: ☐ Yes ☐ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: The CIA illegally placed Greta Tunesberg and petitioner under FISA electronic surveillance and when ordered to do so the government failed to reply to petitioner's FISA request. All in violation of 50 USC § 1801 et seq & Due Process

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Using the Technology described in Exhibit A (petitioner's Letter to Greta Tunesberg, Climate Activist) the CIA illegally placed Tunesberg and petitioner under FISA electronic surveillance and when ordered by a district court to respond to petitioner's FISA motion to disclose electronic surveillance the government failed to reply in violation of 50 USC § 1801 et seq & Due Process. See USA v. Banks, 15CR168 (WDPA) ECF 901, 918, 928, 929, 936, 950, 961, 969

(b) If you did not exhaust your state remedies on Ground One, explain why:

(c) Direct Appeal of Ground One:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One:

GROUND TWO:

CIA illegally placed Kimba and Kendrick Lamar under FISA electronic surveillance in violation of 50 USC § 1801 et seq and due process

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

CIA illegally placed Kimba and Kendrick Lamar two rappers in Chicago under FISA electronic surveillance in violation of 50 USC § 1801 et seq and due process.

Kimba was pulled up on stage by Kendrick Lamar and did a free style which led to wider fame. A few hours later while on his way home he received a text message that his mother Gilda had died. Later in a dream he stated he heard his mother talking to him. That dream was CIA technology as described in Exhibit A. The CIA is building up stars and later destroying them. This is to control the population.

(b) If you did not exhaust your state remedies on Ground Two, explain why:

(c) Direct Appeal of Ground Two:

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you :
have used to exhaust your state remedies on Ground Two

GROUND THREE: *manufactures in pennsylvania are making the Rubber bullets Chinese police are using on Hong Kong protesters in violation of the First Amendment & due process.*

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Because manufactures in pennsylvania are making the Rubber bullets that Chinese police are using on Hong Kong protesters in violation of the First Amendment & due process to quash democratic protests this Court should order Pennsylvania and its officers to impose regulations on these PA manufactures to cease & desist exporting these Bullets to Chinese officials.

(b) If you did not exhaust your state remedies on Ground Three, explain why?

(c) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three:

GROUND FOUR:

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) If you did not exhaust your state remedies on Ground Four, explain why:

(c) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

AO 241
(Rev. 10/07)

Page 12

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☒ Yes ☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, ground or grounds have not been presented, and state your reasons for not presenting them:

No

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☒ No *not convicted*

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the raised.

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing:

*Adrian Roe
428 Blvd of the Allies 5th FL
Miami 15219*

(b) At arraignment and plea:

Adrian Roe

(c) At trial:

(d) At sentencing:

(e) On appeal:

(f) In any post-conviction proceeding:

(g) On appeal from any ruling against you in a post-conviction proceeding:

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed:

(c) Give the length of the other sentence:

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☐ Yes ☐ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.*

* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
 - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
 - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
 - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
 - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief:

Discharge petitioner, Greta Tureberg, Kimba, Lamar from FISA electronic surveillance, order Respondents & the government to disclose the FISA to petitioner to include undistilled versions of the intercept & Authorizations, Grant the Writ of Habeas Corpus ordering Pennsylvania to order the manufacturers to cease & desist rubber bullet sales to China or any other relief to which petitioner may be entitled.

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 9/22/19 (month, date, year).

Executed (signed) on 9/22/19 (date).

Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

Banks moves under 28 USC 2242 as the self appointed acting agent for Tureberg who is a minor. See Morris v. United States, 399 F. Supp 1720 (E.D.VA 1975) (pro se habeas corpus petition signed by petitioner's agent heard.) As an Agent Banks may do so. As a victim he has Tureberg's best interest in mind and if FISA exists Banks & Tureberg are entitled to it.

RE: Frederick Banks v. Greta Tuneberg, et al

9/22/19

Dear clerk,

Hello. I request the following;

1.) please correct the spelling of Greta Tuneberg using Google before you docket the petition.

2.) please scan both sides (4 pages) of Exhibit A
and

3.) please send me a copy of Exhibit A.

4.) venue is proper in this district because Pennsylvania is headquartered in Harrisburg.

Thank you!

FILED
HARRISBURG, PA

SEP 30 2019

PER

mg
DEPUTY CLERK

Sincerely,

Frederick Banks

EXHIBIT A

Frederick Banks
 950 2nd Avenue #120759
 Pittsburgh, PA 15219

Greta Tunesberg
 Climate Activist
 c/o WESA-FM Radio, 90.5
 Pittsburgh, PA 15203

9/22/2019

RE: CIA using Remote Satellite Technology ("Microwave Hearing") to
 Control & Manipulate Climate Change Activists & Narrative

Dear Greta,

Hello. It's good to write to you and I wish you much success on your climate change tour and beyond the tour. My name is Frederick Banks. I'm a American Indian and Wiccan, producer, director, investor, musician, artist, photographer and writer. My bands are called Vampire Nation, & July. In two letters I wrote on 11/7/16 and 5/3/17 to Ivanka Trump I exposed that the Trump campaign was under FISA "electronic surveillance" (Foreign Intelligence Surveillance Act 50 USC 1801 et seq.) and that National Security Advisor Steve Bannon was "The White House Leaker" who leaked my 11/7/16 letter to Breitbart news which broke the FISA story see USA v. Banks, 2:15cr168 (wppa) ECF 259, 352, 593. This led to ongoing congressional investigations against the FBI & US Department of Justice for FISA abuses and Bannon's forced resignation. I'm the only pro se litigant in history of our country since 1776 to ever win in any U.S. Court of Appeals a petition for Rehearing see IN RE Frederick H. Banks, no. 18-1014 (3d Cir 9/24/2019). In 2015 I coined the term "fake news" see Banks, 15cr168 (wppa) ECF 1733 at EBay messages and litigation I filed in Los Angeles against Dr. Luke and for singer Ke\$ha led to the #metoo movement. IN RE DR Luke, Debtor (EDCA US Bankruptcy Court). Most recently The White House adopted my position on Yemen which led to the Stockholm cease fire agreement. My ongoing correspondence with Ivanka Trump is known as the Banks Ivanka papers and are available by writing to The White

House Executive office of the President of the USA under the Freedom of Information Act. My name is listed on the largest settlement in US History Cobell v. Salazar which the Obama administration settled in favor of American Indians for \$3.4 Billion Dollars. Google "Cobell v. Salazar Frederick Banks" and see Cobell v. Salazar at Wikipedia. I've been involved in extensive Climate change litigation as well. See Banks v. Massey Energy (Ct of Common Pleas Mahoning County Ohio). I write because I've been out exposing a CIA program they call "Telepathic Behavior Modification" see term ^{& docs.} and also "Telepathy Research" and Project Stargate at www.foia.cia.gov; "Synthetic Telepathy" at nbcnews.com; A 1998 Department of the Army Report "Bioeffects of Selected Non Lethal Weapons" at Google; Kmir 6 TV News Report "Hundreds hearing voices in the Valley" at <http://www.ksn.com/kmir6/news/179055911.html>. To deliver the Technology CIA sends a satellite signal to an individual target via ELF (extremely low frequency) wave via satellite w/ GPS tracking to an individual target that manifest in a person as a high pitched tone (it comes in through the ears). When it hits you they know everything you know (even things you forgot), can see what you see in real time (thermal imaging), can involuntarily control your actions (walk you + talk you around like a video game), and communicate with you through telepathy in real time. Startlingly, they manipulate your dreams and pump in audio and video Virtual Reality. There are people including myself that remember times when dreams were sporadic and hard to remember. CIA sends dreams to some every single night. Also in true mental illness they hear garbled sounds not actual "voices" but when it's the CIA it's a voice of the CIA operator. This is part and parcel to CIA's control. The Technology is administered out of the CIA's office of Science & Technology & Science and Technology Center.

CIA uses sub contractors such as Booz Allen to do this "Telepathy telemarketing" with computer assistance and it's world wide control across many situations and people. So with that background here is what I wanted to tell you.

1.) If it's in the media cycle, national, local or International here in the USA, in Sweden or elsewhere it's the CIA controlling the narrative using the above technology. Also see Project Mockingbird at wikipedia. In other words the CIA had you Greta Tunberg under this program and they can do it without you knowing it.

2.) Your effort is amazing & rate worthy and I take nothing from it. However I want to let you know that without the CIA control / Assist whatever you want to call it. It would have been virtually impossible for you alone to have a protest grow into the international phenomenon it has grown into. Another example I'll give you of this is "Arab Spring" and the Hong Kong protests. The CIA used & is using the technology to make these things happen. I in no way want you to stop what you are doing I just want you to know what time it is.

3.) Global warming is exasperated by the US government. our military especially the U.S. Air Force has been manipulating the weather for decades by placing dangerous & toxic gases in the Air. This is better known as "Chem Trails". This has led to global warming and the decline / extinction of many species including "A Billion Birds in North America". Air force is controlled by the CIA using the technology as is our Congress & even our president and Courts. This is why we are currently in a Constitutional crisis and have been for a very long time. The CIA LSD experiments was nothing more than a front project for the technology I mention here. See MK Ultra at wikipedia.

4.) To prove what I allege what you can do is file a "Motion to Disclose FISA electronic surveillance 50 USC § 1806(f)" in any Federal

U.S. District Court see 50 USC § 1806(f) in a Civil Action and ask the Court to give you the FISA, FISA orders & authorization because there was no valid authorization or order of approval to place you under electronic surveillance in violation of the FISA Act 50 USC § 1801 et seq and Due Process. You can file it pro se (on your own) or with an Attorney. If they deny it Appeal. But once you confirm that you were under electronic surveillance you can recover damages. see Jewel v. NSA (9th cir.).

So my proposals I sent to The White House on dealing with Climate change are as follows;

1.) Desert Reforestation in the fourth world to create a USA Rainforest like the Amazon and in the Sahara desert in Africa. I have a book called The Last Tribes of Africa and it says that the Sahara was once fertile forest land where 16 separate civilizations rose and fell. I figured out that where there are trees it will rain. In other words if you reforest the desert rain will come in that former desert because the water from the trees/leaves evaporates into the air causing the immediate clouds in patterns to rain. I'm not sure if most people understand this.

2.) Build a pipeline to space (it only has to breach the earth atmosphere) and pump ocean water up through it to reduce sea levels, & other techniques to dispose of ocean water.

3.) Modern techniques & methods such as conversion to green technology, regulations & limits on gas/oil use and industrial carbon footprint reductions.

This letter may scare the hell out of you which is not my purpose of course.

Knowledge is power as you know and in the end I think you will win! Best of luck,
 hamiltonbrownlce@gmail.com
 Fredrick Banks (Pittsburgh)
 on 10/15 Tel: 412-475-8384

Frederick Banks
#120759, 8E
Allegheny County Jail
950 2nd Avenue
Pittsburgh, PA 15219

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HARRISBURG, PA

SEP 30 2019

Per

Deputy Clerk

CASHIER

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Clerk, U.S. District Court
Middle District of Pennsylvania
PO Box 983
Harrisburg, PA 17108

Legal Mail

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